

Permitting & Assistance Branch Staff Report
Modified Solid Waste Facilities Permit for the
Blythe Sanitary Landfill
SWIS No. 33-AA-0017
February 1, 2017

Background Information, Analysis, and Findings

This report was developed in response to the Riverside County Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed modified Solid Waste Facilities Permit (SWFP) for Blythe Sanitary Landfill, SWIS No. 33-AA-0017, located in Riverside County, and owned and operated by Riverside County Department of Waste Resources. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on November 10, 2016. A new proposed permit was received on December 22, 2016 and on December 30, 2016. Action must be taken on this permit no later than February 28, 2017. If no action is taken by February 28, 2017, the Department will be deemed to have concurred with the issuance of the proposed modified SWFP.

Proposed Changes

The following changes to the first page of the permit are being proposed:

	Current Permit (2011)	Proposed Permit
Design Capacity (cubic yards (cy))	6,034,148 cy	6,229,670
Remaining Capacity (cy)	4,159,388 cy	3,834,470
Estimated Closure Year	June 2047	2047

Other Changes include:

1. Updates to the SWFP include changing CIWMB to CalRecycle; new dates for the governing documents that describe and/or restrict the operation of the facility; and rewording and deleting conditions for the purpose of updating and/or clarifying operational requirements.
2. Update the Joint Technical Document.

Key Issues

There will be no increase in permitted daily tonnage, acreage, hours of operation or vehicle count.

The proposed permit includes a total airspace capacity of 6,229,670 cy, which is an updated figure from the current SWFP capacity of 6,034,148 cy. This slight (3%) increase in the total airspace capacity of 195,522 cy is a direct result of using recent survey datum, updated topographical surveys and upgraded digital terrain modeling software for determining the site capacity. There is no proposed change to the final grading plan for the top deck or slopes of the landfill. The remaining capacity and estimated closure date are also being updated.

Background

The Blythe Sanitary Landfill is owned and operated by the Riverside County Department of Waste Resources. In February 1958, the County of Riverside submitted an application to the Bureau of Land Management (BLM) for a disposal site. Records regarding the date landfilling activities commenced are unavailable. Based on the application, it is assumed that the landfill opened in 1958 and given the history of other landfills in Riverside County, it is assumed the landfill was operated as a “burn” site until the mid-1970s. A Solid Waste Facilities Permit (SWFP) for landfill activities at the site was issued in 1979, at which time the site was classified as a Class II-2 Solid Waste Disposal Site. This facility is currently a Class III facility as defined by Title 27 of the California Code of Regulations (27 CCR), Section 20260.

Findings

Staff recommends concurrence in the issuance of the proposed modified SWFP. All of the required submittals and findings required by 27 CCR Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff’s findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated November 10, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on March 11, 2016. The LEA provided a copy to the Department on March 16, 2016. The changes identified in the review are reflected in this permit modification.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on December 30, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on November 10, 2016, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Compliance Unit found the facility is identified in the Countywide Siting Element, as described in their memorandum dated December 15, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(5) Preliminary or Final Closure Plan Consistency with State Minimum Standards	Engineering Support Branch staff in the Closure and Technical Support Section have found the Preliminary Closure/Post Closure Maintenance Plan consistent with State Minimum Standards as described in their email dated December 29, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(6) Known or Reasonably Foreseeable Corrective Action Cost Estimate	A copy of the most recently submitted written estimate to cover the cost of known or reasonable foreseeable corrective action was received by CalRecycle's Engineering Support Branch staff in the Closure and Facility Engineering Unit on December 14, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7)(A) Financial Assurances	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Financial Assurances documentation for closure, post closure and corrective action in compliance as described in their memorandum dated January 12, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7)(B) Operating Liability Insurance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Operating Liability in compliance as described in their memorandum dated January 12, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on September 28, 2016. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their letter dated January 27, 2017, that the proposed permit is consistent with and supported by the existing CEQA documentation. See the Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Notice was posted by the LEA on October 18, 2016. No written comments were received by the LEA or Department staff. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed modified SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on September 28, 2016 and found that the facility is in compliance with applicable state minimum standards and permit conditions.

Below are the details of the landfill's compliance history based on the LEA's monthly inspection reports during the last five years:

- 2016 – No violations were noted.
- 2015 (January) - One violation of 27 CCR Section 20690 – Alternative Daily Cover
- 2014 – 2012 - No violations were noted.

The violation was corrected to the satisfaction of the LEA.

Environmental Analysis

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must make a determination as to whether this modified SWFP is categorically or statutorily exempt or additional CEQA analysis is necessary.

The proposed changes are to update the design capacity from 6,034,148 cy to 6,229,670 cy; update the remaining capacity from 4,159,388 cy to 3,834,470 cy; and change the estimated closure year from June 2047 to 2047. There will be no increase in permitted daily tonnage, acreage, hours of operation or vehicle count.

The Riverside County Department of Waste Resources, acting as the Lead Agency, prepared a Notice of Exemption (NOE) on June 23, 2016 in order to document the site capacity and estimated closure date for the Blythe Sanitary Landfill with no additional changes in design or operation of the landfill. The Riverside County Department of Waste Resources determined that, pursuant to 14 CCR Sections 15061(b)(3) – General Rule Exemption and 15301 – Existing Facilities, the permit application would fall under these Categorical Exemptions and the NOE is adequate to fulfill the CEQA

requirements for this proposed SWFP modification. The NOE 16-09 was filed with the Riverside County Clerk on June 23, 2016.

The LEA has made a finding that the proposed modified SWFP is consistent with and supported by the cited environmental documentation.

Department staff made the finding/determination that a Categorical Exemption, 14 CCR, Section 15301 – Existing Facilities is adequate for the Department's concurrence of this modified SWFP. Staff's finding is based on the premise that the proposed permit is to be issued to an existing facility that will not expand its operations from those authorized under the current SWFP that the LEA issued in 2011.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, prepare a Notice of Exemption, based on the Categorical Exemption for existing facilities, to be filed with the State Clearinghouse after the Department's concurrence of the modified SWFP in that the proposed permit is to be issued to an existing facility that will not expand its operations beyond that existing. Further, there are no grounds under CEQA for the Department to prepare an environmental document or assume the role of Lead Agency for its consideration of the proposed modified SWFP.

Department staff further recommends the Categorical Exemption is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and authority, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed modified SWFP and all of its components and supporting documentation, this staff report, the Notice of Exemption, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed modified SWFP. The custodian of the Department's administrative record is Ryan Egli, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comments

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA posted a Public Notice on October 18, 2016, in the County of Riverside. No comments were received by the LEA or Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meetings on November 15, 2016, December 20, 2016, and January 24, 2017.